

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JAMES HUNT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 15-cv-0433-MJR-SCW
)	
MOORE BROTHERS, INC.,)	
WEST RIVER DISTRIBUTION, INC.,)	
MIDWEST OPERATIONS, and)	
SIDCO INVESTMENTS, INC.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

REAGAN, Chief Judge:

Having previously granted Defendants' request for sanctions against Plaintiff's counsel under 28 U.S.C. § 1927 (Doc. 53), the Court set the amount of sanctions at \$7,427.00, due to be paid by June 5, 2016 (Doc. 57, the "payment Order"). Approximately 30 days later, Plaintiff appealed both orders to the Seventh Circuit Court of Appeals (Doc. 58). Now before the Court is the Plaintiff's motion to stay enforcement of the Court's payment Order, pending the current appeal, and the approval of a cash bond (Doc. 63). Defendants have not responded.

Federal Rule of Civil Procedure 62(d) provides in pertinent part:

If an appeal is taken, the appellant may obtain a stay by supersedeas bond The bond may be given upon or after filing the notice of appeal or

after obtaining the order allowing the appeal. The stay takes effect when the court approves the bond.

See also Porco v. Trustees of Indiana Univ., 453 F.3d 390, 394 (7th Cir. 2006).

Cases involving stays on appeal traditionally involve parties requesting a stay with either no bond or a partial bond is offered, where a request for stay is not made until after the deadline for enforcement is reached, or where payment may not be possible after a certain date, regardless of the outcome of the appeal. None of these issues are present in this case—the Plaintiff is offering payment of a cash bond in the full amount of her sanction, prior to the date of enforcement, and there is no indication that payment will not be possible later. As Defendants have not made a counter-argument, the Court sees no reason not to grant the Plaintiff's motion.

Counsel motion for stay pending appeal with full payment of a supersedeas cash bond is **GRANTED**. Counsel shall pay the full amount of \$7,427.00 to:

Clerk of Court
United States District Court for the Southern District of Illinois
750 Missouri Avenue
East St. Louis, IL 62201

IT IS SO ORDERED.

DATED: **June 2, 2016**

s/ Michael J. Reagan
Michael J. Reagan
Chief Judge
United States District Court